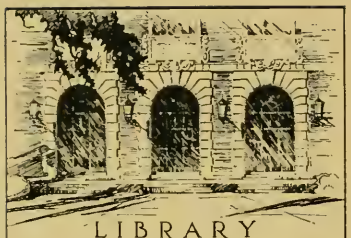

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A CHARGE

TO THE

CLERGY AND CHURCHWARDENS OF THE ARCHDEACONRY OF OXFORD

DELIVERED IN MAY 1879

At his First Visitation

BY

EDWIN PALMER, D.D.

ARCHDEACON OF OXFORD.

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A Charge, &c.

My Reverend Brethren, and my Brethren holding the office of Churchwarden,

THE question has often been asked why an Archdeacon should deliver a Charge at his Visitations. He is not the overseer of the diocese, or of any part of it. So far from being Chief Pastor, he has not, in his capacity of Archdeacon, any cure of souls. What right, then, has he to address, as it were *ex cathedra*, those of whom the greater number are his equals in the priesthood, of whom many, perhaps, are his superiors in age, in experience, in learning, in wisdom, in devotion? The question is difficult to answer. For my own part, I admit the full force of the objections which I have mentioned. If I were to theorise on the subject, I should look for the justification of such a proceeding in a commission, expressed or implied, from the Bishop. But a practical answer is not far to seek. In many dioceses, perhaps in most, custom not only sanctions but enforces the thing of which I speak. In this diocese, for example, I should feel myself an innovator, if I declined to address you on this occasion. I do, therefore, what custom demands of me; but I will endeavour to do it, as becomes one who is fully sensible that many of those whom he addresses have much more to teach him than to learn from him. Whatever I shall say, I will ask you to receive as offered in this spirit.

I desire, first, to speak of two or three matters which have forced themselves on my notice since I was appointed Archdeacon. They are matters which concern, in one way or another, money and its bestowal,—a topic from which many of us are apt to shrink, but also a topic which must of necessity be sometimes handled. There is a little charity, of which I myself never heard until I was invited as Archdeacon to become its treasurer, for the relief of the widows and orphans of those who have died while they were serving as Clergy in this Archdeaconry. There are similar charities, I may remark, in the Archdeaconries of Berks and Bucks. We all know how small the professional income of a clergyman usually is; how often the sudden loss of that professional income leaves a clergyman's family in difficulty or distress. May I be allowed to say, that no form of almsgiving seems to me more appropriate for a clergyman than subscription to the charity of which I speak? Few of us know for certain that it may not some day be of advantage to those whom we love best. Men who are furthest removed from such an apprehension for their own families will for this very reason be the first to sympathise with the families of their poorer brethren in the ministry. Nor can we doubt the sympathy of the Church Laity also: indeed, this charity has always had laymen among its subscribers. Many more laymen, I venture to think, and many more clergymen too, would be contributors to it if it were better known. A printed statement of its condition is, indeed, sent every year to every subscriber, and to every beneficed clergyman in the Archdeaconry, whether already

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a subscriber or not. But, amid the multitude of printed papers on all subjects which are circulated through the post, these statements may not unfrequently be put aside without notice.

The second money question on which I desire to touch is the issue of Pastoral Letters by our Bishop for collections in aid of the Diocesan Societies. You all know that he issues such a letter every year, recommending in turn the Diocesan Board of Education, the Diocesan Church Building Society, and the Diocesan Spiritual Help Society. My office of Archdeacon has given me a seat at the Diocesan Board, and has led me to act more than once as auditor to one or other of these societies. I have thus become aware how important the Bishop's Letters are to their existence. A large proportion of their income is derived from the collections made in compliance with these Letters. Seeing, as I do at the Board, the good work which is done in the diocese by these societies, I cannot refrain from an expression of gratitude to the Clergy who make collections. But, in attendance at the same Board, I have come to know, that in a considerable number of parishes no collections are made. I would wish to ask whether this need be the case. Some of us, I know, are reluctant to make collections in our churches for purposes outside our own parishes. We feel that the expenditure for works of religion and of charity within the parish is so considerable, that we can hardly ask our people for more. Some of us, again, feel that our parishes contain no wealthy people: our churches are filled with poor people, who hardly earn their daily bread; and there is no one there of higher worldly

to give than to receive. It is thus with a glad heart that I meet you, and with the hope that He whose presence is promised where even two or three meet in His name, will graciously vouchsafe His blessing to us. Already, we of the Clergy have been united as closely as is possible to each other in that Communion of our Lord's Body and Blood, which is the truest bond of souls. We shall, also, I trust, be knit together in mind and heart through those counsels in which we shall mutually participate. And I hope that we shall again go forth to our several works strengthened and refreshed by sympathy, and conscious of that support which is afforded through the inhabitation of one and the same all-hallowing Spirit, and through fellowship in thought, in action, and in prayer.

Statistics.

It is not my intention to dwell at any great length on the statistics of the Diocese, however important these may be as evidences of the work which is being done. I have twice visited the whole Diocese. I have confirmed, during six years, some 1700 persons, of whom one-third were natives of this country. So large a proportion of the confirmed are mere temporary sojourners, that it is to confirmations among those who are the permanent inhabitants of the country that we must chiefly look for any index of increasing strength.

During six years, seven persons have been admitted to the Holy Order of Deacons, of whom four were natives of this land. Six of these seven, and four others, have been admitted to the Holy Order of the Priesthood. I regret much that the number of ordinations of native clergy is so small, and that there is no immediate prospect of any great addition to their number. But until a College is founded expressly for the education and training of Catechists and Clergy this defect is not likely to be remedied. The establishment of at least one such College has been an object which I have had in view ever since I came to India, and has been brought to the notice of our Missionary Societies as of paramount importance. Without it, growth is almost impossible, and other labour is unfruitful or well-nigh vain.

Of late there is evidence of an increasing interest in Missions on the part of European Christians. The contributions to the Church Missionary Society in its general fund and for its local objects amounted in the last annual report to 16,000 rupees. Towards the general fund of the Society for the Propagation of the Gospel about 4500 rupees were contributed last year, and at the several Mission Churches or

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stations of that Society a sum of nearly 8000 rupees was collected, making in all about 12,500 rupees. Besides, a special fund, amounting in 1874 to about 4000 rupees, was raised to support a Mission conducted by the Cowley Fathers, so that the total contributions towards missionary objects in 1874 may be estimated at about 32,500 rupees. The contributions to the Additional Clergy Fund amounted only to about 1000 rupees, though they were sufficient to meet the demands on that Society. But for some years the Government of India has been pressed to make an allowance for at least two more Clergy to be employed at Parell and Lanowlee, among the servants of the railway companies, and has now given some indications of a readiness to contribute the sum usually granted in such cases. The demands, therefore, on the Additional Clergy Fund are likely to increase during the current and future years, and I feel sure that there will be no lack of willingness to aid in sending to our fellow-countrymen at these railway stations the ministry of the Church.

I desire to commend to your support through an annual collection in your churches the fund for church building. Our older European stations with scarce an exception are now supplied with churches. But at Bhosawul an effort is now to be made to supply the railway servants with a church. At Parell, too, and Lanowlee, as soon as clergy are provided, the erection of suitable places of worship will become an object of importance. Some, too, of our Missions are gradually advancing to a position in which churches will be necessary to the development of their work. And altogether it is desirable that this fund should be placed in a flourishing condition. It amounts at the present time to about 8000 rupees. But I am anxious that a capital sum of at least 10,000 rupees should be provided, and to raise the existing funds to that amount is an immediate end.

The average annual contributions, other than those for missionary purposes, amount on the average to 40,000 rupees,* and the information which I receive warrants the assertion that towards all such objects as it is a manifest duty to support—matters affecting worship and the furnishing of churches, education, especially of the orphans and the poor, diffusion of Christian knowledge, &c.—there is every readiness to subscribe, when appeal is made for assistance. In future I shall ask you for annual returns, and I shall feel obliged if you will make the return as soon as possible after the issue of the usual papers. Besides objects of local interest and missions, the Diocesan Board of

* *Note.*—This does not include any portion of a sum of about 25,000 rupees raised during the past three years for school buildings.

it was mentioned at the Diocesan Board. It was taken as a practical expression of good will. Its senders seemed to say, "Though we are poor, we own our interest in the common cause. We cannot give much, but we will give what we can."

The third point which I desire to mention is a point which concerns specially the Churchwardens. The abolition by law of compulsory Church-rates has made the position of our Churchwardens a difficult one. Charged as they are with the maintenance of the church fabric, and the provision of things needful for the services of the church, they have no longer power, with or without a majority of the vestry, to make a compulsory rate for these purposes. Their position seems at first sight to resemble that of the Israelites, when they were bidden to make bricks without straw: but they will find, I trust, like the Israelites, that difficulty and impossibility are not identical. The duty which falls upon them is to raise, without the use of compulsion, such sums as are necessary from year to year for the safe keeping of the fabric and the decent performance of divine service. In this good work the Clergy will, of course, be always their ready helpers. Different methods may suit different parishes. In some a voluntary rate may be found possible; and this is the best expedient, where it is possible, because it is the fairest. In others less systematic contributions may be gathered. In others special offertories, or a portion of the regular offertory, may, if the Clergyman and the Churchwardens are of one mind, be employed to meet the need. When large repairs of the church fabric become necessary, an extraordinary effort will

be required, in which the Churchwardens cannot always be expected to take the principal part. But for the ordinary expenses,—never large,—they will usually find themselves perfectly able to collect sufficient funds, and they are certainly the persons who have the best right to ask for contributions. Amongst these ordinary expenses I may be allowed to name the fees for the admission of Churchwardens at the annual Visitations, which have been regulated in our own days by an Order in Council. Of course, when endowments exist in any parish for the support of the parish church and its services, the Churchwardens are in an easier position, as they have a regular fund upon which they may draw for the expenses of the church. But when there is no such endowment, I cannot doubt that Church-people will be found no less able and willing than Dissenters to contribute for the maintenance of the building in which they worship, and the services in which they take part. I know well the irksomeness of asking for money, and I feel that the Churchwardens of the present day deserve hearty thanks, not only from the Clergy but from all Church-people, for undertaking the office under these altered circumstances. Yet I cannot fear that men will ever be wanting to do this service, for the good of the Church to which they belong, and for the glory of Almighty God.

And now I turn to another topic of more importance and more difficulty, to which I propose to devote the remainder of my address. It is the question of the rule of conduct for individual Priests in disputed points of ritual. In venturing upon this subject, I will remind you of what I said at the begin-

ning. I do not speak as one who has authority to command his brother Clergy, I do not speak as one who has authority to instruct them. I speak as one who knows that he speaks before men older, wiser, more learned, more experienced,—above all, holier than himself; as one who has no other desire than to offer, for the sake of truth and peace, certain considerations which have appeared to him to possess more weight than is always allowed to them.

Forty or fifty years ago, when assaults, or threats of assault, upon the civil privileges of the Church in England turned men's thoughts to her inner life, and to the spiritual functions of her Clergy, attention was called to a number of points in which her ritual had been neglected, and a more exact conformity to her rules for public worship was revived. On many of these points the letter of the rubric was plain in the eyes of all men: on some, it was not plain to all. The revival of observances more or less obsolete led to disputes. Sometimes there was a question about the interpretation of a rubric, sometimes about the conflicting authority of rubric and custom. A well-known sentence in the Preface to the Book of Common Prayer seemed to refer all such questions to the determination of the Bishop. Let me quote it at length: "Forasmuch as nothing can be so plainly set forth but doubts may arise in the use and practice of the same, to appease all such diversity (if any arise) and for the resolution of all doubts concerning the manner how to understand do and execute the things contained in this Book, the parties that so doubt, or diversely take anything, shall alway resort to the Bishop of the diocese, who by his discretion shall take order for the quiet-

ing and appeasing of the same; so that the same order be not contrary to anything contained in this Book. And if the Bishop of the diocese be in doubt, then he may send for the resolution thereof to the Archbishop." Some of the Clergy, when they found themselves embarrassed by such questions, did consult the Bishop of the diocese; some Laymen, who were dissatisfied with the action of their Clergy, appealed to the same authority. In many instances,—in most of the instances, I cannot doubt, in which Clergymen had spontaneously asked the direction of their Bishop,—the Bishop's determination was accepted as final.

I will say at once—though I must of course expect difference of opinion on this point—that to my mind this was the true solution for individual Priests of all questions about their own practice in matters of ritual. Not only do the words which I have just quoted from our Prayer-book refer the Priest to his Bishop on such questions; but the existence of an authority in the Bishop to determine them seems to flow from the nature of his relation to the inferior Clergy. From him they receive their office; from him they receive their authority to minister, whether as Incumbents or as Curates, in their several parishes. Catholic antiquity, as summed up and represented in the famous words of Ignatius, bids them "do nothing without their Bishop." I cannot dissemble the strength of my own conviction, that, if there is anything whatever in which a Priest ought to obey his Bishop, it is the conduct of the public services of the Church.

Let us suppose, for a moment, that this method had been followed from the time when ritual con-

troversies first arose in this century down to the present day. One grave scandal, at all events, would have been prevented; we should not have seen that fundamental principle of Church order violated, which requires a Priest to obey his Bishop. Another consequence undoubtedly would have been, that many individual Priests would have been saved from great difficulties. A conflict between individual Priests and the Courts of Law could hardly have arisen. I may be told, that in some dioceses Bishops might have sanctioned ritual practices which caused offence to some of the laity. I may be told that complaints against those who used such practices with the sanction of their Bishops might have been brought before the Courts, and that the Courts might have condemned them. I will admit the possibility of this hypothesis, and will not raise a question about its probability. If such complaints had been brought against individual Priests, the Priest would have had in each instance the support and assistance of his Bishop in meeting them. If the Courts had interpreted the ritual law of the Church otherwise than the Bishop had interpreted it, the Bishop would not have shrunk from the responsibility of directing his Clergy how to act, and the Clergy would have followed his direction, at that stage of the matter, on the same principle on which they had followed it before,—deference to his authority as their Chief Pastor. That the Bishop would, as a rule, have directed his Clergy to conform to the decisions of the Courts I cannot doubt:—not because Bishops are more afraid than other men of penal consequences to themselves, but because the responsibility of their position as Chief Pastors makes

them more alive than others to the public evils which flow from all resistance to established law.

Why do I speak, some one may ask, of things which might have been if men in past time had acted otherwise than they have acted? Because I cannot think that the time is even yet past for such things. Because such things may be still, if we will accept the old principle of Ignatius, "to do nothing without our Bishop;" if we will "submit ourselves" (in the language of the Ordination Service) "to his godly judgment," and allow him to guide our consciences, as our Chief Pastor, in matters of ritual controversy. Whatever view men may take of their relation to Courts of Law, I cannot despair of any Priest, who believes in his own orders and mission, confessing that there is a real province discoverable, in which his promise at ordination to obey his Ordinary and his oath of canonical obedience after ordination bind him; I cannot despair of his coming to see that the conduct of public worship in the place to which his Bishop has sent him is a part of that province.

But I must enter on thornier ground. I wish to set before you a view, which seems to me the true one, of our relation as Clergy to the Courts of Law.

To begin: I look upon the civil government in every country as having Divine authority in its own sphere. Scripture certainly warrants this assumption. St. Paul writes (Rom. xiii. 1 sq.): "There is no power but of God: the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God." St. Peter (1 Pet. ii. 13): "Submit yourselves to every

ordinance of man for the Lord's sake: whether it be to the king, as supreme; or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well." And St. Paul and St. Peter both allege the same reason for calling government a Divine ordinance. That reason is its beneficent character. Law and government is, and has been, as a rule and with rare exceptions, a power to restrain men from preying on each other. Whoever strikes a blow at the majesty of the law in any country, strikes a blow at the good order of civil society and the happiness of mankind. It is conceivable, no doubt, that, in exceptional cases, a real alternative between the service of God and of Cæsar may present itself. Laws and governments have at times, as when the true martyrs suffered in imperial Rome, compelled men to take one side or other of such an alternative. But it is no light thing for an individual to set his private judgment against law, and contribute, in however small a degree, to weaken its authority among men. The responsibility of martyrdom is not inconsiderable. Thus much let me say of the general principle.

I come now to the relation of civil government to ecclesiastical questions. There is only one scheme of ecclesiastical society conceivable, in which men could dispense wholly with courts which had some sort of civil jurisdiction. If the Church in any country were absolutely unendowed, without lands, without buildings, without revenues of any description, then it might be possible for discipline to be administered by spiritual officers and spiritual censures only. A heretical Priest, for example,

would be deposed by his Bishop, and the faithful would be warned to avoid him. But the moment that the Church—or any other religious Society—becomes possessed of any property which can be represented in money, from that moment it comes, more or less, under the control of the civil law, which in all matters measurable by money is naturally and inevitably supreme. As the heathen Emperor, Aurelian, was called in to eject Paul of Samosata from the church, or the Bishop's house, at Antioch, so the civil tribunals,—or some tribunal which derives its authority from the civil law,—must be called in, when a controversy arises, to judge of the right which a particular person has to retain possession of endowments or buildings which his religious community alleges that he has forfeited by disloyalty to itself or by any other misconduct. The civil government may settle such questions in whatever way it pleases. It may empower a spiritual court to settle them, or it may entrust them to one of its ordinary courts. Again, its courts may follow this or that rule in dealing with such questions. They may accept, as sufficient evidence, the judgment of a representative of the religious community which is concerned upon the conduct of the person impugned; or they may undertake to compare for themselves that conduct with the known laws and requirements of that religious community. But, ultimately, the decision will rest on the authority of the civil power, and depend for its force on the law of the land; and on that very ground it is entitled to the obedience of every man who believes law and government to be of Divine institution. If the Courts of Law,

for example, were to pronounce a Wesleyan minister to have no right to the possession of his chapel, he would be bound in conscience to give up possession of it,—though his conscience might lead him (as the law certainly would not forbid him) to preach in an adjoining house. And so with any other religious community, or with the Church herself. In all things that can be measured by money the authority of the civil law is paramount of right, as it is in practice irresistible.

So far I have spoken of two cases comparatively simple; the hypothetical case of a religious community which has no possessions, and the actual case of all religious communities which have possessions. The first sort of community can administer its own discipline without aid or hindrance from the civil power—if it does not attempt to interfere with the persons or property of its members. All other religious communities must needs depend on the civil power to preserve to them their rights over their possessions, as against rebellious members or invaders of any other kind. I now come to our own case, in which the civil government undoubtedly claims and exercises an exceptional degree of authority. Were the Church of England disestablished (as it is called) to-morrow, she would still, if she retained any part of her present endowments, or so soon as she acquired any new endowments, be compelled to invoke, and to submit to, the interference of the Civil Courts, whenever a question arose about the right of an individual to enjoy a portion of those endowments. While she remains in her present connexion with the civil government, her relations to its courts are more extensive and more complex.

A cardinal point in these relations is the supremacy of jurisdiction which is vested in the Crown. This supremacy was first established by law in 1532. An Act passed in that year (24 Henry VIII. c. 12) declared the king to be "instituted and furnished with plenary whole and entire power preeminence authority prerogative and jurisdiction to render and yield justice and final determination to all manner of folk resiants or subjects within this his realm in all causes matters debates and contentions happening to occur insurge or begin within the limits thereof without restraint or provocation to any foreign princes or potentates of the world." It was re-asserted, and special provisions (which I shall notice presently) were made for its exercise, in another Act of the following year (25 Henry VIII. c. 19), which is entitled "The Submission of the Clergy and Restraint of Appeals." These two Acts were repealed in 1554 (1 and 2 Philip and Mary, c. 8), but re-enacted in 1558 (1 Eliz. c. 1).

The supremacy declared and established by these Acts was accepted by the Church synodically in the reigns of Elizabeth and James I. In the former reign, its acceptance is testified by the XXXVIIth Article; in the latter reign, by the Canons passed in the Convocation which began its sittings in 1603. It is not, perhaps, absolutely certain, that the Convocation of the province of York approved formally the XXXIX Articles, after they had been agreed to by the Convocation of the southern province. They were certainly subscribed in London, in 1562, by the Archbishop of York and the Bishops of Durham and Chester; and subscription to them was enforced by the north-

ern Bishops throughout the province. With respect to the Canons of 1603, however, the Acts of the Convocation of York shew that they were formally examined and approved by that Convocation in 1605. The XXXVIIth Article begins thus: "The King's Majesty hath the chief power in this realm of England and other his dominions, unto whom the chief government of all estates of this realm, whether they be ecclesiastical or civil, in all causes doth appertain." In the 36th Canon of 1603, we find enjoined upon every person to be ordained, or instituted to a benefice, subscription to a statement, "that the King's Majesty, under God, is the only supreme Governor of this realm, and of all other His Highness's dominions and countries, as well in all spiritual or ecclesiastical things or causes as temporal." Again, the 2nd Canon of 1603 begins thus: "Whosoever shall hereafter affirm, that the King's Majesty hath not the same authority in causes ecclesiastical, that the godly kings had amongst the Jews and Christian emperors of the primitive Church, or impeach any part of his regal supremacy in the said causes restored to the Crown and by the laws of this realm established, let him be excommunicated *ipso facto*."

The language of the XXXVIIth Article and of these Canons shews plainly, that the supremacy which the Church recognised in the Crown was (whatever else it may have been) a supremacy of jurisdiction, that is, a right of final determination in all causes ecclesiastical, as in all causes civil. The language which I have quoted from the 2nd Canon of 1603 shews plainly, that the Church recognised this supremacy as it was laid down in

the Acts of Parliament which were at that time in force: and of these the most important were the Statutes of Henry VIII. which I have already cited, and the Statute of Elizabeth by which they were revived. These synodical confessions of a supremacy of jurisdiction vested in the Crown have never yet been synodically retracted by the Church of England. If the Church of England since the Reformation has ever decreed anything, if any weight is allowed by any man to the formal acts of its Convocations, this supremacy of jurisdiction has at the present day the sanction of the Church as well as of Parliament.

Let me now remind you how this supremacy of jurisdiction has been exercised. The Act of 1532 did not provide any Court of Appeal to review the decisions of the Archbishops' Courts, except in causes in which the Crown was interested, in which it allowed an appeal to the Upper House of Convocation. But the Act of 1533 contained the following provision: "For lack of justice at or in any of the Courts of the Archbishops of this realm or in any of the King's dominions it shall be lawful for the parties grieved to appeal to the King's Majesty in the King's Court of Chancery; and upon every such appeal a Commission shall be directed under the Great Seal to such persons as shall be named by the King's Highness his heirs or successors, like as in case of appeal from the Admiral's Court, to hear and definitively determine such appeals and the causes concerning the same." This provision lost its effect, of course, in the reign of Philip and Mary, in consequence of the repeal of the Statute which contained it; but it became law

once more when that Statute was re-enacted in the first year of Elizabeth, and it remained in force thenceforward till 1832. The court which it erected was known as the "High Court of Delegates," because its members sat by express delegation from the Crown, which acted for this purpose through the Lord Chancellor. I say nothing of the High Commission Court, which was established by the same Statute of Elizabeth (1 Eliz. c. 7) which revived the High Court of Delegates, (although it was a notable instrument of the Royal Supremacy while it lasted), because it was finally abolished in 1640, and the Statute which abolished it (16 Charles I. c. 11) enacted that its like should never be set up again in England.

In 1832 that particular provision of the Statute of 1533 which I have just recited was formally repealed, the High Court of Delegates was abolished, and the jurisdiction which it had exercised was transferred to the Crown in Council. The Act by which this was done (2 and 3 Will. IV. c. 92) defined no order of procedure in Council. In the following year, however, a second Act (3 and 4 Will. IV. c. 41) constituted a special Committee of the Privy Council, under the name of the Judicial Committee, to hear the appeals which had formerly been heard by the High Court of Delegates. Within the last few years the constitution of the Judicial Committee has undergone certain modifications, which I need not here particularise. The point on which I desire to insist is this; that from the year 1534 (after Easter in which year all further appeals to Rome were positively forbidden by the Statute of 1533), down to the present time, with the exception

of the short reign of Philip and Mary, the Court of Final Appeal in causes ecclesiastical has been a Royal Court. Whether it was called a High Court of Delegates, an ordinary Committee of the Privy Council, or a Judicial Committee of the Privy Council, is immaterial from an ecclesiastical point of view. It was in any case established by the Crown, with consent of Parliament, in virtue of that supremacy of jurisdiction which Acts of Parliament had asserted and the Church had synodically allowed. The Church was never consulted synodically about the mode in which the Crown was to exercise that supremacy of jurisdiction. The Church never protested synodically against any mode in which that supremacy was exercised. Obedience to the decisions of the court through which the Crown exercised its supreme jurisdiction was, until within the last few years, as much a matter of course for individuals, as obedience in any civil cause to the highest Court of Appeal in civil causes for the time being.

Beneath this supreme Court of Appeal, which immediately represented the Crown, there remained the ordinary ecclesiastical jurisdictions; the courts of the Metropolitans, the courts of the Bishops, the courts of the Archdeacons. They were all expressly recognised by the Statute of 1532, which first declared the supremacy of the Crown in matters ecclesiastical; nor was that recognition afterwards withdrawn. I doubt not that the judges in these courts, and especially the judges in the courts of the Metropolitans, often brought to their task an amount of theological and canonical learning which was not possessed by all the judges in the Court of

Appeal. But it must never be forgotten that, however this might be, the courts in which they presided were subordinated to the Court of Appeal, and were consequently bound to conform themselves to its decisions. This being so, it was of little moment, comparatively speaking, what the constitution of these subordinate courts might be, or how much life and vigour might remain in each of them. For my own part, I view with indifference the disuse of the Archdeacons' Courts for purposes of litigation. I do not greatly concern myself with the infrequent use of the Bishops' Courts. Even the manipulation of the Metropolitans' Courts by the Public Worship Regulation Act of 1874 I cannot bring myself to regard as of primary importance. That Act, as is well known, fused, or attempted to fuse, the courts of the two Metropolitans into one court. Certainly it was the intention of its framers that it should do so: certainly it was the intention of the two Metropolitans themselves: certainly those two Metropolitans intended the single judge, for whom that Act made provision, to represent for all purposes the two judges whom they had been used to appoint to preside in their several courts. This is enough for me as a Churchman. Whether the two Metropolitans took severally the necessary steps to constitute that single judge Judge of the Metropolitan Court of Canterbury, and Judge of the Metropolitan Court of York, *ut qui optimo jure*, is a question, to my mind, not of theology, nor of ecclesiastical principle, but of legal technicality, which I leave to lawyers. Still less do I care to form an opinion upon the subtle question whether the Public Worship Act did or did not establish a new jurisdiction. In my judg-

ment, the cardinal fact is, that the final determination of all ecclesiastical causes is vested in the Crown, and is confided to a court which the Crown has established with the consent of Parliament, and of Parliament alone, and that all other courts ecclesiastical are bound to echo its decisions. This, as I have reminded you, has been the law and use of England for nearly three centuries and a half, if we neglect the short reign of Philip and Mary. It has been, in principle, more than once formally recognised, never formally repudiated, by the synods of the Church of England.

It is our right, as Englishmen, to use all lawful and constitutional means, in order to procure the repeal of the Statutes on which this special jurisdiction of the Crown rests, if we think such repeal desirable,—as it is our right to use like means in order to procure the repeal of any other Statutes now in force. But it is also, I venture to think, our duty both as Englishmen and as Churchmen, to obey these Statutes while they are unrepealed, and to submit to the decisions of the Court which derives its authority from them. I need not attempt to prove our duty as Englishmen to obey any law of the land; but I may be asked what further obligation to obedience in this particular lies on us as Churchmen. My answer is twofold. First, we are bound to obey, on the principle of deference to Church authority. Our Church, as I have said already, has more than once synodically affirmed the supreme jurisdiction of the Crown in causes ecclesiastical; she has never synodically rejected it. Secondly, we are bound to obey, on the principle of regard to the highest interests of the Church.

I do not speak of lands, or money, or any civil privileges whatever. I value these things highly. I value highly what men call the establishment of religion in this country. But I value it only as means to an end; I value it only as a gigantic Home Mission Fund, which enables the Church to carry the message of salvation to the poorest districts of our great towns, and the most secluded nooks in England. Let it all go to-morrow, if it can be shewn to be the price of its retention that the Church must deny her Lord, or cease to do His work effectively. I do not, however, speak now of such things. I speak of far higher interests than those of which money or political status is the measure. I venture to assert boldly, that it is not good for any religious community to be without tribunals which have power to interpret its laws, and to enforce obedience to their own interpretations. I venture to assert boldly, that here in England, at the present day, either the Church to which we belong is without such tribunals, or they are to be found in the Judicial Committee of the Privy Council and the Metropolitans' and Bishops' Courts which are subordinated to it. It is true, as I said in an earlier part of my address, that as individual Priests we may take the Bishop of the diocese in which we minister for our interpreter of the Church's ritual law, and that, if we do so, we shall be following a suggestion of the Prayer-book itself, and acting in conformity with the primitive theory of the Episcopal office. But the Bishop's authority as interpreter is not coercive. If we choose to disregard it, we can do so with impunity. A Bishop has no coercive authority

except through his court; and his court is subordinated to the court of his Metropolitan, and to the Court of Final Appeal, of which it is compelled to echo the decisions. Under these circumstances, to repudiate the authority of the courts is in effect (however little some of us may intend it) to claim absolute liberty of action for ourselves. The claim of absolute liberty of action in civil matters by individual citizens tends to dissolve civil society. The claim of absolute liberty of action in matters ecclesiastical by individual clergymen tends to break up the Church into a number of independent congregations.

These are the considerations which I have wished to put before you at our first meeting. There is nothing new in them, I know. They cover, I know, only a small portion of the ground which is debated at the present day. But I venture to think that they do cover that small portion; and that, if the weight which they deserve were given to them, no inconsiderable amount of confusion and of exasperation would be removed from our controversies.

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